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January 4, 2010

VIA E-MAIL (Raut.Leena@epamail.epa.gov) & OVERNIGHT DELIVERY

Leena Raut, Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
Region II
290 Broadway
New York, NY 10007-1866

VIA E-MAIL (Als.Ed@epamail.epa.gov) & OVERNIGHT DELIVERY

Ed Als, Remedial Project Manager
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
Region II
290 Broadway, 20th Floor
New York, NY 10007-1866

RE: Response to EPA's §104(e) Information and Document Request
Site: Standard Chlorine Chemical Co., Inc. Superfund Site
Kearny, Hudson County, NJ
Our File No. L0419-00029

Dear Ms. Raut and Mr. Als:

As you know, we are environmental counsel for Lanxess Sybron Chemicals Inc. ("LANXESS") with regard to the above referenced matter.

Enclosed please find a fully executed copy of Lanxess' response to USEPA's §104(e) Information and Documentation Request ("104(e) Request") as it relates to the

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COUGHLIN DUFFY LLP

Leena Raut, Assistant Regional Counsel
Ed Als, Remedial Project Manager
January 4, 2010
Page 2

site. Under separate cover, we will forward to you Lanxess' original signature page for the Response to the §104(e) Request.

Very truly yours,

COUGHLIN DUFFY LLP



Heidi S. Minuskin

HSM:ir

Enclosure

cc: Anne H. Lewis, Esq. (w. enclosure and via e-mail)

**LANXESS SYBRON CHEMICALS INC.'s RESPONSE TO
USEPA JULY 31, 2009 REQUEST FOR INFORMATION**

SITE: Standard Chlorine Chemical Co., Inc. Superfund Site
Kearny, Hudson County, New Jersey

GENERAL STATEMENT

LANXESS Sybron Chemicals Inc. ("LANXESS") submits this response to United States Environmental Protection Agency's ("USEPA") July 29, 2009 Request for Information ("Information Request") directed at Bayer Corporation ("Bayer"). As discussed with counsel for USEPA, LANXESS Corporation is an independent chemical corporation, which was formed as a spin-off from Bayer. In its Information Request, USEPA alleges that the Bayer nexus to the Standard Chlorine Chemical Co., Inc. Superfund Site ("Site") is a result of the leasing of a few buildings and equipment on a portion of the Site by Tanatex Chemical Corporation ("Tanatex") from the mid-1950's to 1963. Based upon its investigation and available information obtained to date, the assumed connection between Tanatex and LANXESS subsidiaries is as follows:

According to the Tanatex Chemicals, Inc. website, Tanatex was founded in 1959 in Ede, Netherlands. In 1968, Sybron Corporation acquired Tanatex Chemical Corp. and its operating site in Lyndhurst, New Jersey, resulting in a new name, Sybron/Tanatex. In 1987, Sybron Chemicals Inc. (formerly known as Sybron Chemical Industries, Inc.) acquired the Sybron Chemical Group from Sybron Corporation in 1987. Sybron Chemicals Inc. also acquired the tradename of "Tanatex." In 2000, Bayer acquired Sybron Chemicals Inc. which included the Tanatex textile auxiliary divisions. These textile auxiliary divisions of Bayer and Sybron were merged into a business unit known as Textile Processing Chemicals. In July 2004, Bayer spun-off certain of its business units, including the Textile Processing Chemicals business unit to form LANXESS Corporation. In January 2005, LANXESS became a separate independent company. In 2006, LANXESS divested and transferred the business unit Textile Processing Chemicals to the Dutch investor Egeria, which was incorporated and renamed as Tanatex Chemicals, Inc., as a Delaware Corporation. Attached as Exhibit A is a copy of the Tanatex Chemicals, Inc. website page describing the company's corporate history. On June 29, 2007, Sybron Chemicals Inc. was renamed LANXESS Sybron Chemicals Inc.

Counsel for Bayer forwarded to LANXESS a copy of the Information Request as it relates to the Site. The Information Request stated that "Bayer may be liable as a successor to a person who owned and operated the Site at the time hazardous substances were disposed of." Specifically, USEPA stated in the Information Request that in the mid-1950's to 1963, Tanatex Chemical Corporation leased a few buildings and equipment on Lot 50 of the Site for its dye carrier manufacturing facility. At that time, no information or documentation was provided as to any alleged nexus to the Site other than this statement.

In response to the Information Request, both Bayer and LANXESS undertook a full investigation of all available documentation and information in their possession regarding Tanatex and any alleged nexus to the Site. This investigation included, but was not limited to, contacting individuals who may have relevant information responsive to the Information

Request. Based upon this investigation, LANXESS found no information or reference that Tanatex ever operated at the Site. To the contrary, as stated above, as Tanatex did not exist prior to 1959, it could not have operated at the Site in the mid-1950's. Furthermore, the only information LANXESS has obtained with regard to the manufacturing of the Tanatex products in New Jersey was under the ownership of Sybron at a facility located at Paige & Schulyer Avenue, Lyndhurst, New Jersey. LANXESS's predecessors-in-interest had a number of other divisions and products manufactured at this facility in addition to the Tanatex products. This facility was closed in 1980.

In its August 17, 2009 letter to Leena Rout, Assistant Regional Counsel for USEPA, LANXESS requested that USEPA provide any nexus information or documentation it had allegedly linking Bayer or Tanatex to the Site and a discharge of hazardous substances. By e-mail dated August 18, 2009, Ms. Rout advised she would speak to Ed Als, USEPA Remedial Project Manager, and review USEPA files for the nexus information. LANXESS' request for nexus information was reiterated by e-mail to Ms. Rout on September 3, 2009. USEPA responded regarding the delay in providing nexus information, advised that the files would be open for review shortly and extended the deadline to respond to the Information Request. On October 27, 2009 USEPA made available for review its file on the Site. Thereafter, numerous emails and calls were made to USEPA to obtain the documents requested during the field review. These documents were received on November 18, 2009, and the deadline for LANXESS to submit its response to the Information Request was extended until January 4, 2010.

The USEPA file provided for the Site primarily contained a set of documents that alleges a nexus between LANXESS and the Site. The balance of USEPA file documents that mention Tanatex in any way simply reiterate the same information contained in the SCCC Response. This set of documents is the Standard Chlorine Chemical Co., Inc. and Standard Naphthlalene Products Co., Inc. (together referred to as "SCCC") July 21, 2008 response to CERCLA Section 104(e) Information request ("SCCC Response"). In the SCCC response, there are several references to the alleged Tanatex leasehold and operations at Block 287, Lot 50 at the Site. Many of the statements in the SCCC Response are: (1) contrary to the information obtained by LANXESS to date; (2) unsupported; (3) based upon assumptions; or (4) fail to establish a nexus to Tanatex's presence at a portion of the Site and any discharges causing environmental harm there.

Set forth below are examples of the specific information from the SCCC Response allegedly connecting Tanatex to the Site and LANXESS's response to each statement:

1. In response to the question as to other entities known to have owned and/or operated industrial facilities at Lot 50, SCCC states that Tanatex leased buildings and equipment on Lot 50 from the property's respective owners from the mid-1950's until the fourth quarter of 1963. During these years, it is alleged that Tanatex operated a dye carrier manufacturing facility and research laboratory at the Site. You will note that this is contrary to the information currently on the Tanatex Chemicals, Inc. website which states that Tanatex was first founded in 1959 in Ede, Netherlands. Therefore, Tanatex could not have operated at the Site from the mid-1950's.

2. As part of its Information Response, SCCC included a document entitled "Preliminary PRP Report for Sybron Chemicals, Inc., as Successor to Tanatex Chemical Corporation" ("PRP Report"). In this PRP Report, SCCC gives an overview of Tanatex history of succession, the relationship between Sybron Chemicals Inc. and Tanatex, Tanatex's dye carrier operations, including a discussion of the raw materials and components and chemicals alleged to have been used by Tanatex as part of its operations at the Site, as well as the Site contaminants attributable to Tanatex operations. Some of the allegations contained in this PRP Report are just statements without basis; others contain references to documents that are included as part of the PRP Report. Specifically, the PRP Report states that "based on a review of environmental cases instituted after 2000, it is *believed* that Sybron retained liability for environmental contamination arising from some operations prior to the acquisition by Bayer, but that Bayer assumed liability from some operations." [Emphasis added]. SCCC provides no detail regarding the alleged environmental cases referred to, nor does it provide any documentation in support of these statements.

3. Similar to the SCCC Response, the PRP Report states that Tanatex operated a dye carrier manufacturing operation and research laboratory for formulation of dye carrier products at the Site between 1957 (or earlier) and October 1, 1963. Again, this information is contrary to the date of incorporation set forth on the Tanatex Chemicals, Inc. website and there is no source for the information cited.

4. The PRP Report states that during its operations at the Site, Tanatex was the sole occupant of Building No. 3, which it used for manufacturing operations. In support of this statement, SCCC references an exemption date to a 1959 deed by which Lot 50 was conveyed by Crown Rubber Products to Keaton Rubber Co., which expressly references the "rights of Tanatex Chemical Corp. by Sundry Lease". However, a copy of the lease was not provided, nor are there any documents or supporting information regarding the nature of the operations permitted to be conducted at the Site pursuant to the leasehold rights.

5. SCCC also alleges that Tanatex leased equipment from the Site's owners for use in its operation and had use of an 829 foot long railroad side track located adjacent to Building 2 and 4 for transportation of materials to and from Lot 50. SCCC did not provide any support for its assertion that Tanatex leased equipment from the Site's owners. However, SCCC did provide an agreement dated December 11, 1963, which references a July 23, 1957 agreement among the Erie Railroad ("Erie"), Keaton Rubber Co. and Tanatex granting Tanatex the right to use an 829 ft. long railroad side track. While the PRP Report claims that the "side track was located adjacent to Buildings 2 and 4 for transportation of materials to and from Lot 50," the documents cited do not support this assertion. Also, the PRP Report does not provide any evidence that Tanatex, in fact, used the railroad side track.

6. The PRP Report alleges that the "principal raw material known to have been used by Tanatex in its dye carrier manufacturing operations was technical trichlorobenzene, a mixture composed primarily of 1,2,4-trichlorobenzene (1,2,4-TCB) and 1,2,3-TCB. However, no documents are provided to support this statement. SCCC admits that it has not located records that document the quantity of technical trichlorobenzene used by Tanatex at the Site. It simply references a 1970 proprietary study which stated that "by the late 1960s, Tanatex represented

60% of the TCB dye carrier market, with annual purchases of approximately 3,000,000 lbs of technical trichlorobenzenes”, to imply that Tanatex must have used a large quantity of technical trichlorobenzene at the Site. There is absolutely no support for these assumptions. To the contrary, even by SCCC’s own statements, by 1963, Tanatex is alleged to have ceased operations at the Site and moved to its facility in Lyndhurst, NJ. It is more likely that these calculations more accurately represent Tanatex operations at the Lyndhurst, NJ facility, and not the Site. Furthermore, even SCCC in its Response admits that many of its assumptions regarding Tanatex operations at the Site are based upon information regarding Tanatex operations at its Lyndhurst, NJ facility.

7. No discharges or spills are specifically mentioned in the PRP Report. Instead, SCCC makes the general statement that “discharges and/or spills from Tanatex’s operations in Building No. 3 were conveyed via the floor drains in that building to the several discharge outlets near Building No. 3 and Building No. 4.” In support of this statement, SCCC cites the PRP Report on Edison-Cooper Industries (“Edison-Cooper Report”) for a full description of discharge piping and outlets. However, this report does not detail specific spills and or/discharges by Tanatex. The report simply describes the flooring and piping configurations at the time of its operations. There is absolutely no documentation or information regarding any spills or discharges from Tanatex activities at the Site.

8. The PRP Report states that “During its tenure at the Site, Tanatex applied for and obtained at least one patent for a dye carrier for the dyeing of synthetic fabrics” and “experiments undertaken in support of the 1961 application involved the use of the following chemicals: Pine Oil, oleic acid; triethanolamine; naphthalene; 1-methylnaphthalene; 2-methylnaphthalene; tri-methylnaphthalene; di-methylnaphthalene; phenol; xylene; toluene; and sulfated butyl oleate.” In support of this statement, SCCC cites a 1961 dye-carrier patent application. However, the 1961 patent application and grant regarding dyeing synthetic fibers with alkaline naphthalene composition does not indicate where either the experiments or the manufacturing process will be conducted, nor does it indicate the amount of waste material to be generated or discharged as a result of the process.

9. The PRP Report also lists contaminants attributable to Tanatex operations including 1,2,4,-TCB, dichlorobenzene, monochlorobenzene, naphthalene derivatives and 2,3,7,8-TCDD. Again, SCCC fails to cite supporting documentation for its allegations. For example, SCCC alleges that Tanatex was the only “entity which transported, stored or used trichlorobenzenes on Lot 50” and that “contamination would have occurred through routine discharge of effluent from Building No. 3 and also, perhaps as a result of transportation and/or storage accidents and spills.” In support of this statement, SCCC makes self-serving assumptions that the trichlorobenzenes used by SCCC never left Lot 49 and the rail line adjacent to it. However, no documents are provided in support of these assertions. Furthermore, there is no evidence of any storage accidents or spills by Tanatex. In addition, SCCC states that “Tanatex operations may have been one of the source” of dichlorobenzenes and monochlorobenzene”. However, SCCC does not provide cites to any documentation.

SCCC also states that “2,3,7,8-TCDD has been discovered in surface water and sediments along the discharge pathways from the Tanatex operations conducted on Lot 50.”

The PRP Report then concludes that "the effluent discharges and inadvertent spills and releases of technical trichlorobenzene by Tanatex during the course of its operations are the likely sources of this 2,3,7,8-TCDD contamination. Again, SCCC does not cite to any document or information in support of this statement.

10. The Preliminary PRP Report on Crown Rubber Products states that "later documentation shows that Tanatex definitely used Bldg No. 3 and a portion of Bldg. No. 4 in its operations on Lot 50." However, no documents are cited in support of this statement.

SCCC also attached property records to its PRP Report. The property records include a September 14, 1962 Contract of Sale between Keaton Rubber Co. and Standard Chlorine Chemical Co., Inc., which references the rights of Tanatex "by sundry leases." The Rider to the Contract of Sale also mentions Tanatex as a tenant. Once again, the leases and referenced documents are not provided and, thus, there are no specifics as to the permitted uses at the Site.

Thus, the information contained in the SCCC response generally is unsupported, contrary to the information obtained to date or based upon assumptions and speculations. LANXESS will continue its search to determine whether there is any additional information and documentation responsive to this Information Request other than the information provided by USEPA in response to LANXESS's information request, and specifically reserves its right to amend its response to the Information Request.

GENERAL OBJECTIONS

The following General Objections apply to each of the Responses to the Information Request, whether the General Objections are expressly referred to in the specific objection or response to a particular Information Request. The specific objection set forth following particular responses to the Information Requests is intended to amplify the General Objections and neither limits the applicability of any of the General Objections nor waives any objections that may, in addition to those set forth below, be applicable to each response to the Information Request.

1. LANXESS objects to the Information Request on the grounds that the requests are overly broad, unduly burdensome, oppressive and may not be reasonably calculated to lead to the discovery of admissible evidence.

2. LANXESS objects to the Information Request to the extent that the requests seek information protected from disclosure by the attorney-client privilege, by the attorney-work product doctrine and/or by other privileges, doctrines or rules.

3. LANXESS objects to the Information Request to the extent it seeks confidential, sensitive and/or proprietary business information.

4. LANXESS objects to the Information Request to the extent it seeks information regarding corporate entities, parents, subsidiaries, affiliates and facilities regardless of whether such entities, parents, subsidiaries, affiliates or facilities had any connection at all to the Site under investigation.

RESPONSES TO REQUEST FOR INFORMATION

1. a) State the correct name and mailing address of the Company.

RESPONSE: LANXESS Sybron Chemicals Inc. 200 Birmingham Road, Birmingham, New Jersey 08011.

- b) State the name and address of the president, chief executive officer or the chairman of the board, or other presiding officer of the Company.

RESPONSE: Firuza Mir, President and CEO

- c) Identify the state or country of incorporation of Company and its agent for service of process in the state of incorporation in New Jersey.

RESPONSE: Delaware corporation. Registered Agent is the Corporation Service Company, 2711 Centerville Road, Wilmington, DE 19808.

- d) If the Company is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor to another company, identify these related companies. For each related company, describe the relationship to the Company and indicate the date and manner in which each relationship was established.

RESPONSE: LANXESS objects to this information request as it is overly broad. Notwithstanding this objection, see information contained in the General Statement above.

- e) How many employees does the Company have?

RESPONSE: As of December 9, 2009, LANXESS Sybron Chemicals Inc. has 19 employees in the United States.

2. Describe in detail the Company's relationship with Tanatex Chemical Corporation ("Tanatex") by answering the following questions:

- a) was the Company a subsidiary or division of Tanatex;

RESPONSE: No. Certain assets of Tanatex were purchased.

- b) is the Company a corporate successor to Tanatex;

RESPONSE: LANXESS objects to this question as it calls for a legal conclusion. Notwithstanding this objection, see information contained in the General Statement above.

- c) has the Company assumed any liability or liabilities of Tanatex, or agreed to defend or indemnify, or otherwise in any way become responsible for any liabilities or obligations of Tanatex, either actual or potential; and

RESPONSE: LANXESS objects to this question as it calls for a legal conclusion. Notwithstanding this objection, see information contained in the General Statement above.

- d) has Tanatex assumed any liability or liabilities of the Company, or agreed to defend or indemnify, or otherwise in any way become responsible for any liabilities or obligations of the Company, either actual or potential?

RESPONSE: LANXESS objects to this question as it calls for a legal conclusion. Notwithstanding this objection, see information contained in the General Statement above.

3. Provide copies of all documents pertaining to any transactions between the Company and Tanatex, referred to in Question 2.

RESPONSE: LANXESS objects to this information request as it is overly broad in that it is not specific as to time and scope. Notwithstanding this objection and the General Objections above, LANXESS has no documentation responsive to this request. LANXESS will supplement its response if any documentation relevant to this request is located.

4. Describe the transaction by which the Company acquired ownership of Tanatex, and provide copies of all documents relating to the transaction.

RESPONSE: See information contained in the General Statement set forth above.

5. Describe in detail the operations and processes that the Company conducted at the Site property. Provide copies of any documents and the names of any individual relied upon to respond to this question.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding any operations by Bayer or Tanatex at the Site. As to the

factual allegations contained in the SCCC Response and USEPA documents provided for review, see information contained in the General Statement above.

6. Provide a list of chemicals, including hazardous substances, hazardous wastes and industrial waste materials, used, stored, generated or handled at the Site during the entire time that the Company owned and/or operated at the Site. Describe the use of each of the chemicals identified, estimate quantities used on an annual basis and provide the sources of these chemicals at that time. Provide copies of any documents used to prepare the list.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding chemicals, including hazardous substances, hazardous wastes and industrial waste materials used, stored or generated or handled at the Site by LANXESS, Bayer or Tanatex. As to the factual allegations contained in the SCCC Response and USEPA documents provided for review, see information contained in the General Statement above.

7. Specify the locations at which the hazardous substances, hazardous wastes and industrial waste materials used, stored, generated or handled at the Site by the Company disposed of. Include in your response the dates of disposal; condition of material being disposed of (e.g., solid, liquid, or sludge); and whether materials were containerized. Provide any documentation related to waste disposals such as bills of lading and manifests.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding chemicals, including hazardous substances, hazardous wastes and industrial waste materials used, stored, generated or handled at the Site by LANXESS, Bayer or Tanatex. As to the factual allegations contained in the SCCC Response and USEPA documents provided for review, see information contained in the General Statement above.

8. For process waste waters generated at the Site, provide the following information:
 - a) Where was the waste water discharged and during what years?
 - b) If any waste waters were discharged into a sanitary sewer, during what years did these discharges occur?
 - c) If any waste waters were not discharged to the sanitary sewer, where were they discharged or disposed of, and during what years?
 - d) Describe any treatment of waste waters prior to being discharged to the sanitary sewer, or elsewhere, or otherwise disposed of. Please be specific.
 - e) Please provide the results of any analyses performed on any waste process streams generated at the facility.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding processed waste waters generated at the Site. As to the factual allegations contained in the SCCC Response and USEPA documents provided for review, see information contained in the General Statement above.

9. For floor drains or other disposal drains at the Company's location:

- a) Did the drains connect to a sanitary sewer and if so, during what years?
- b) If the floor drains or other disposal drains at the Company's location did not discharge to the sanitary sewer, where did they discharge and during what years?
- c) Did any storm sewers, catch basins or lagoons exist at any time at the location and if so, during what years?
 - i) Were the catch basins or lagoons lined or un-lined?
 - ii) What was stored in the lagoons?
 - iii) What was the ultimate discharge point for the storm sewers, catch basins or lagoons?
 - iv) During what years was the Company discharging from any of these structures?
 - v) Were these discharges treated before release and if so, how and during what years?
 - vi) What was the chemical composition of any waste waters discharged from any of these structures.
- d) Provide diagrams of any waste water collection, transport, storage, treatment or disposal systems on the property.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding floor drains or other disposal drains at the Site. As to the factual allegations contained in the SCCC Response and USEPA documents provided for review, see information contained in the General Statement above.

10. Identify any industrial waste materials that were disposed of in or discharged to the Hackensack River, including its tributaries. Estimate the amount of the industrial waste materials disposed of in or discharged to the Hackensack River, including its tributaries, and the frequency with which this disposal or discharge occurred. Also, please include any sampling of the river which you might have done after any discharge or disposal.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding any industrial waste materials that were disposed of in or discharged to the Hackensack River from the Site.

11. Identify any leaks, spills, explosions, fires or other incidents of accidental discharges that occurred at the Site location during or as a result of which any hazardous substances, hazardous wastes and industrial waste materials were released on the property, into the waste water or storm drainage system at the facility or to the Hackensack River including its tributaries. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding any leaks, spills, explosions, fires or other incidents of accidental discharges that occurred at the Site. LANXESS objects to this question as it calls for a legal conclusion.

12. Was the Site ever subject to flooding? If so, provide the date and duration of each flood event. Was the flooding due to:
- a) overflow from sanitary or storm sewer back-up, and/or
 - b) flood overflow from the Hackensack River?

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding whether the Site was ever subject to flooding

13. Please provide a detailed description of any civil, criminal or administrative proceedings against your Company for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal at or from the Site. Provide copies of all pleadings and depositions or other testimony given in these proceedings.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding any civil, criminal or administrative proceedings against LANXESS, Bayer or Tanatex for violations of any local, state or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal at or from the Site.

14. Provide the names and addresses of any entities other than the Company of which you are aware that may have released or disposed of any material at the Site. Include in your response a description of these types of waste and the dates of disposal.

RESPONSE: Based upon the results of its investigation to date, LANXESS has no information regarding the names and addresses of any entities that may have released or disposed of any material at the Site.

15. Identify all persons who arranged for and managed the processing, treatment, storage and disposal of industrial waste or any materials containing hazardous substances.

RESPONSE: LANXESS objects to the information requested in response to Question No. 15 as it is overly broad, unduly burdensome and oppressive. Notwithstanding this objection, based upon the results of its investigation to date, LANXESS has no information regarding any persons who arranged for and managed the processing, treatment, storage and disposal of industrial waste or any materials at or from the Site.

16. If any of the documents solicited in this Request for Information are no longer available, please indicate the reason why they are no longer available. Please also provide:

- a) the Company's document retention policy;
- b) a description of the type of information that would have been contained in the documents;
- c) the name, job title and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for the destruction of these documents; and the person(s) who had and/or still may have the originals or copies of these documents;
- d) the names and most current address of any person(s) who may possess documents relevant to this inquiry.

RESPONSE: LANXESS objects to this information request as it is overly broad and unduly burdensome. Notwithstanding said objection, some of the information sought relates to activities that may have occurred and/or records that may have existed prior to Bayer Corporation's acquisition of Sybron Chemicals Inc. Bayer Corporation advised that it has no information or documentation responsive to this Information Request. Furthermore, the information or documentation requested is either unknown to LANXESS or unable to be located despite diligent inquiry. With regard to the LANXESS document retention policy, see Exhibit B.

17. Please provide copies of all insurance policies and indemnification agreements held or entered into by the Company that arguably could indemnify the Company against any liability that the Company may be found to have under CERCLA for releases and threatened releases of hazardous substances, pollutant, or contaminants at and from

the Site. In response to this question, please provide not only those insurance policies and agreements which currently are in effect, but also those which were in effect during the entire period of the Company's ownership or operation of the Site. For any policy that you cannot locate or obtain, provide the name of the carrier, years in effect, nature and extent of coverage, and any other information you have.

RESPONSE: LANXESS objects to this information request as it is overly broad and unduly burdensome. LANXESS also objects to this request as it requires LANXESS to speculate as to any policies or agreements that "arguably" would apply, and requires LANXESS to undertake an analysis of contingent liability, which liability LANXESS denies. Notwithstanding said objection, LANXESS is continuing to search for information relevant to this request. LANXESS reserves the right to supplement its Response to this Information Request with any relevant information or documentation it obtains.

18. State the name, title and address of each individual who assisted or was consulted in the preparation of the response to this "Request for Information" and specify the questions to which each person assisted in responding.

RESPONSE: Individuals who assisted or were consulted in preparation of this information request include as follows:

1. Outside counsel for LANXESS and Bayer
2. In-house counsel for LANXESS and Bayer
3. Michael A. Vancil, P.E. Manager, Environmental Services, LANXESS Corporation, 111 RIDC Park West Drive, Pittsburgh, PA 15275-1112

19. Identify all individuals (other than those identified in your response to Question 18) who may have information or documents relating to the subject of this Request for Information, and/or the generation, handling, storage, transportation or disposal of the hazardous substances, hazardous wastes or industrial waste materials that came to be located at the Site.


RESPONSE: LANXESS objects to this request to the extent it requires LANXESS to speculate as to knowledge or information in the possession of former Site owners, tenants, employees or other persons with whom LANXESS has no relationship and over whom LANXESS has no control. See Response to Information Request No. 18.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of NEW JERSEY :

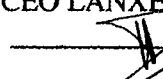
County of BURLINGTON :

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my Company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the Company's response thereto should become known or available to the Company.



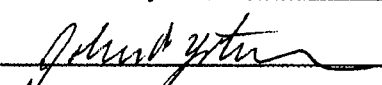
Firuza Mir

President and CEO LANXESS Sybron Chemicals Inc.



SIGNATURE

Sworn to before me this 30 day of DECEMBER, 2009

Notary Public 
JOHN P. YETHAN
ATTORNEY AT LAW OF NJ

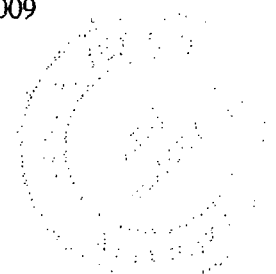


Exhibit A



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Our History

TANATEX Chemicals B.V. started its activities on January 1st 2007.

Although this date was the start of a brand-new company, its roots and history go far back into the previous centuries.

TANATEX Chemicals B.V. is building on the fundamentals of two well-known companies in the history of textile auxiliaries: Sybron/Tanatex and Bayer Chemicals.

Bayer was founded in 1863 by Friedrich Bayer and Johann Friedrich Weskott as a company to produce aniline-dyes. Later on also textile auxiliaries became part of the product portfolio.

Tanatex was founded in 1959 in Ede, Netherlands. First focus of this company was the development, production and marketing of carriers for the dyeing of polyester. In 1968 the company was taken over by US-company Sybron, resulting in the new name Sybron/Tanatex.

In 2000, German company Bayer acquired the worldwide operations of Sybron/Tanatex. The textile auxiliary divisions of both companies were merged into the business unit Textile Processing Chemicals (TPC).

In 2004 Bayer AG decided to combine the operations of the current Bayer Chemicals AG and a third of Bayer's polymers business in a new independent company called LANXESS. The Business unit Textile Processing Chemicals, being part of Bayer Chemicals, was transferred to Lanxess AG as well. Lanxess went onto the stock market in 2005.

In 2006, Lanxess decided to divest the BU TPC. All the activities of the Textile Processing Chemicals (TPC) business unit outside of North America were acquired by the Dutch investor Egeria and the business unit management. The completion of this transaction took place by the end of the year 2006. Consequently the acquired Business Unit was renamed in TANATEX Chemicals.

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Exhibit B



Energizing Chemistry

Records Management Policy and Manual

June 2005

Statement of Policy

The Records Management Policy of this Corporation including its subsidiaries (hereinafter collectively referred to as "Corporation") has been established to govern the identification, retention, storage, protection and disposal of the Corporation's records. The Records Management Policy is designed to meet the following minimum requirements:

1. Records should only be created when necessary, and copies of all such documents should be distributed only on a need-to-know basis.
2. All records will be retained for periods specified by applicable federal and state laws and regulations.
3. Unless otherwise stated in this Manual, all records developed to document the Corporation's compliance with relevant laws and regulations will be maintained on a permanent basis.
4. If a Corporate Site, Business Unit or Service Unit has additional more restrictive policies or schedules regarding records management, those policies or schedules should be used to supplement, not replace, the requirements listed in this manual.
5. All records which may substantially impact the legal and/or business obligations of the Corporation will be retained for a period of time which reasonably assures the availability of the records when needed.
6. Records will be destroyed periodically by the Corporation's Sites, Business Units and Service Units when the retention requirements have been satisfied. The Law & Intellectual Property Department will exercise vigilance to assure that destruction plans can be brought to an immediate halt upon receipt of legal process to which the records might be relevant.
6. No documents or information related to any pending, threatened or contemplated litigation or government investigation by or against LANXESS should be compromised, purged or destroyed.
7. The retention of records beyond their immediate useful life and beyond the applicable legal, internal and historical requirements must be avoided. Such retention subjects the Corporation to unnecessary storage costs and encourages a lack of discipline within the Corporation's Sites, Business Units and Service Units.
8. All records which are vital in nature will be identified and appropriately safeguarded.
9. All records maintained on microfilm, optical disc, magnetic tape or other

electronic data processing storage media will be covered by this Records Management Policy.

10. Employees should avoid the destruction of items which could be of historical importance to the Corporation; the Corporate Communications Department and appropriate management personnel should be consulted where appropriate.
11. Each Business or Service Unit Head is responsible for the implementation of the Records Management Policy and appropriate compliance with its provisions. The Business or Service Unit Head may delegate responsibility to others within their respective organizations.

LANXESS Records Management Policy

It is the position of this Corporation as encompassed in its Records Management Policy that these records be retained only during the period of their immediate use unless a longer retention period is required by law or historical considerations. The specific records retention schedules contained in this Manual specify the length of time records are to be maintained.

This policy is a set of principles developed to help all of us eliminate unnecessary records. The manual also contains specific records retention rules. **Note that these are rules adopted by Corporation's Senior Management - not just guidelines or suggestions.**

As defined by the policy, the term "records" refers to all recorded information, regardless of media or characteristics, made or received and maintained by this company in pursuance of its legal obligations or in the transaction of its business. It refers not only to written documents and e-mail in paper or electronic formats, but also records maintained on microfilm, optical disc, magnetic tape or other media. The term includes records that are kept in "official" or centralized locations as well as those company-related records that we keep in our individual files.

Below are two key points of the Records Management Policy:

1) Avoid creating unnecessary records

Before putting pen to paper or fingers to the keyboard, ask yourself:

- Should this record be created?
- How can I most responsibly, clearly and concisely present the information?
- How many others truly need to receive this information?

The point is we should create records only when they are necessary and send copies to only those who need the information. As a rule of thumb, keep only one copy of a record unless the record is genuinely needed by more than one employee, site, business or department.

2) Regularly dispose of unnecessary records

In the following document, you'll find clearly defined records retention schedules that will allow you or your work unit to responsibly dispose of records that are no longer needed. These retention schedules not only tell when to discard various kinds of records; they also make sure we keep records that are required by government laws and regulations or that are needed to meet the company's business and legal obligations. Some records, such as the by-laws of the corporation, are kept permanently. **In general, records of historical importance to the company should be preserved.** If you think you might have such records, contact the Corporate Communications Department or appropriate management personnel before destroying them.

To find out your responsibility or your Business or Service Unit's responsibility for records retention, look in the manual under the appropriate records retention schedules. It is likely you will need to be familiar with only a few of these schedules, but if you are not sure which to look under, ask your supervisor. If a record falls under more than one schedule, use the longest retention period listed.

Who is responsible?

The Business or Service Unit heads have overall responsibility for complying with the Records Management Policy and for implementing systems and procedures for handling records within their business or service group. Although relevant heads will establish their own procedures, a common practice would be to require work units to conduct annual "house cleanings."

Personal Responsibility

Ultimately, of course, we are all responsible for following the rules spelled out in the Records Management Manual. If we work together, we can cut the cost and burden of unnecessary records.

General Instructions

Under the Records Management Policy, all records must comply with the Policy's requirements. This Policy includes company records as well as files of individual employees which contain company records. As a general rule, only one copy of a record should be retained unless the record is genuinely needed by more than one employee/site/business/department. If identical records are generally received by different employees or units within a site/business/ department, appropriate management personnel should make a decision as to which set of copies will be retained pursuant to this Manual and which set(s) will be destroyed.

If a Business/Service Unit chooses to store records electronically or on microfilm, the original hard copies can be immediately destroyed unless their retention is mandated by tax considerations (e.g., accounting records) or legal requirements (e.g., purchase and sales contracts; laboratory notebooks); in these instances, the original records should be retained for the required retention period. If records are stored electronically or on microfilm, care must be taken to ensure any writing/information/record contained on the backside of the document is preserved.

In those instances in which an electronically retained record is duplicated, the original record remains the record subject to the retention requirements and the duplicated record can be deleted at any time unless it is manipulated in such a way that it becomes a new record; in these instances, the manipulated record will become subject to an appropriate retention schedule.

To ensure that the Records Management Policy will meet the Corporation's changing needs, Business or Service Unit Heads (or their designees) shall establish and implement systems and procedures for handling records. The Law & Intellectual Property Department will provide advice and assistance on a corporate-wide basis and will periodically review the Corporation's records systems and procedures to ensure that they are consistent with the Policy. All conflicts or questions relating to the Policy are to be referred to the appropriate company attorney for resolution.

This Manual applies to any company records kept in company libraries. However, it does not apply to other library materials such as books, periodicals, reference sources and so forth that are generally available to the general public.

The Corporation maintains corporate archives to store historical items, products, documents, photos, films, etc. Items that have historical value, but would be disposed of according to this Manual, should be brought to the attention of the appropriate company attorney and appropriate management prior to disposal.

Permission to deviate from the time specified in the appropriate retention schedule may be requested from the appropriate company attorney. The request should include a copy of the record (or a description of it), the business reasons for wanting an exception and a recommendation for its retention.

If you cannot locate a specific retention period for a certain type of record not included in this Manual, consult the appropriate company attorney.. That person will be able to assist you in determining the retention period for the document. If the document in question is prepared or received with some degree of frequency, an appropriate category will be added to the next revision of this Manual.

If a record pertains to two or more subjects and fits under two or more different schedules and time periods, you should use the longest retention period.

Finally, if the appropriate schedule provides for indefinite retention with review after, for example, five years, this means that the records should be retained for a minimum of five years, followed by a review of legal requirements and/or continuing need. If the review discloses that destruction is warranted, destruction may proceed; if destruction is not warranted, the records should be retained for five more years and reviewed again at the end of that time period. This sequence should continue until the records are ultimately destroyed.

This Manual supercedes any similar manuals issued previously by the Corporation's predecessor companies; records currently being retained pursuant to a previous manual are subject to the provisions of this Manual effective as of May 1, 2005.

This Manual does not establish policies, programs or procedures relative to filing systems, methods of destruction or the like. Consistent with the Corporation's philosophy of decentralization, these matters are to be addressed as necessary by the plant sites, the businesses and the departments.

The cooperation of each and every employee is essential if the Corporation is to achieve its records management objectives consistent with the Records Management Policy. The Records Management Manual sets forth reasonable requirements that will help assure uniformity and legal compliance.

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Records Retention Schedules

A. Accounting and Finance	Type of Record	Retention Period
1	Accounts Receivable Cash Receipts Files	Seven years
2	Accounts Payable Invoices	Seven years
3	Accounts Receivable Invoices	Seven years
4	Acquisition/Divestiture/Entity Transfer Financial Workpapers	Permanent
5	Annual Audited Financial Statements	Permanent
6	Annual Audit Workpaper Package	Seven years
7	Appropriation Requests	Seven years
8	Bank Statements and Cancelled Checks	Seven years
9	Census Bureau and Other Government Surveys	Seven years
10	Employee Travel and Entertainment Reports	Seven years
11	Financial Statements - Monthly	Seven years
12	Financial Statements - Quarterly	Permanent
13	General Journals and Other Posting and Control Media Subsidiary to the General Ledger	Seven years
14	General Ledgers - Monthly	Seven years
15	General Ledgers - Quarterly	Permanent
16	Physical Inventory Records	Seven years

B. Communications	Type of Record	Retention Period
1	Annual Reports	Permanent
2	Biographies of Company Personnel	Three Years after termination
3	Community Relations Materials	Indefinite (three year review)
4	Company Newsletters/Brochures	Four years
5	Business/Department Newsletters/Brochures	Four Years
6	Graphics Materials (artwork, drawings, logos, stationery, etc.)	Five years after last use
7	Mailing Lists	Indefinite (review and update annually)
8	New Releases and Clearance Documentation:	
	a. Routine Matters (e.g., product news, staff changes)	Five years
	b. Major events (e.g., acquisitions, annual earnings)	Permanent
9	Press Clippings and Summaries	Three years
10	Photographs and Videotape	Indefinite (five year review)
11	Press Inquiring and Responses	Four years
12	Promotional Material	Five years
13	Recognition Events (gifts, momentos, entertainment, etc.)	Three years

Uncontrolled if printed, POL-PGH-LEG-001

B. Communications (cont'd)	Type of Record	Retention Period
14	Speeches	
	a. Speeches by Executive Vice President and Above	Seven years
	b. Speeches by All Other Employees	Three years

C. Corporate Governance	Type of Record	Retention Period
1	Meetings of Board of Directors or Committees of the Board:	
	a. Background Material	Permanent
	b. Minutes	Permanent
2	Meetings of Business/Department Management Committees:	
	a. Background Material	Seven years
	b. Minutes	Seven years
3	Meetings of Other Committees:	
	a. Background Material	Three years
	b. Minutes	Three years

D. Engineering	Type of Record	Retention Period
1	Drawings	Ten years after termination of facility/product/project
2	Manuals	Ten years after termination of facility/product/project
3	Project Files (facilities)	Ten years after Facility is decommissioned
4	Project Files (products)	Retain for the greater of ten years or useful life of product
5	Technical Reports	Indefinite (ten year review)

E. Environment	Type of Record	Retention Period
1	Internal Environmental Audits	Until superceded
2	Regulatory Required Records	Retain in accordance with the longer of applicable legal requirements or Corporate HES Department requirements
3	All Other Records	As necessary for maintaining historical information requirements

F. General Correspondence	Type of Record	Retention Period
1	Correspondence (including letters, internal memoranda, electronic mail, and the like) for Long-Term Retention:	
	a. Correspondence which constitutes all or part of a contract or which clarified certain points in a contract	Corresponds to the retention period of underlying document
	b. Correspondence which constitutes all or part of any other official document or which clarifies certain points in the document.	Corresponds to the retention period of underlying document
	c. Correspondence pertaining to patents, copyrights, licensing agreements, bills of sale, permits, etc.	Corresponds to the retention period of underlying documents
	d. Correspondence denying or affirming liability of the Company	Corresponds to the retention period of underlying document
2	Correspondence for Short-Term Retention:	
	a. Correspondence of general inquiry and responses which complete a cycle and has no value beyond possible reference from the correspondent within a reasonable period of time.	One year
	b. Correspondence requesting specific action (such as name/ address change) which has no further value after action is taken.	One year

F. General Correspondence (cont'd)	Type of Record	Retention Period
3	General Support Records	
	a. Calendars	Two years
	b. Chronological Files	Four years
	c. Diaries	Two years
	d. Personal Files	Two years
	e. Telephone Answer Logs	One year
4	Non-essential Correspondence	
	a. Correspondence and notes which require no acknowledgement or follow-up, such as notes of congratulations, appreciation and plans for meetings	Six months
	b. Form letters which require no follow-up	Six months
	c. Other correspondence of a non-essential subject matter or which require no further action or reference	Six months
	d. Duplicate/multiple copies of correspondence which will otherwise be retained by the issuing site/division/department or the primary subject	Six months

G. Government Relations	Type of Record	Retention Period
1	Domestic Consultants Work Product Documentation	Five years
2	Entertainment Guest Book	Seven years
3	Government Relations Report	Seven years
4	Trade Association Materials	Indefinite (review annually for usefulness)

H. Human Resources	Type of Record	Retention Period
1	Benefits	
	a. Determination Requests and Letters	Permanent
	b. Plan Documents	Permanent
	c. Records of Service and Eligibility	Permanent
2	Payroll Documents	
	a. Assignments, Attachments and Garnishments	Three years after payment or settlement
	b. Employee Deduction Authorizations	Four years after termination
	c. Employee Earnings Record	Permanent
	d. Payroll Registers	Seven years
	e. Time Cards and Sheets	Retain for the greater of three years or the cycle of the collective bargaining agreement
	f. Unclaimed Wage Records	Six years
3	Personnel	
	a. Affirmative Action Plans	Five years
	b. Affirmative Action Files	Five years
	c. Attendance Records	Five years
	d. Census Reports and Headcount Comparisons	Five years

H. Human Resources (cont'd)	Type of Record	Retention Period
	e. Commissions, Bonuses, Incentives, Awards, etc.	Seven years
	f. EEO-1 and EEO-2 Employer Information Reports	Five years after superceded
	g. Employee Handbooks	Permanent
	h. Employment Application Forms and Resumes (for unsuccessful candidates)	Three years
	i. Family and Medical Leave Records	Four years
	j. Job Descriptions	Three years after superceded
	k. Original Collective Bargaining Agreements	Permanent
	l. Practices Manuals	Permanent
	m. Personnel Files (including employment application forms, resumes, employee agreements, etc.)	Retention requirements are dictated in the Human Resources Department Employee Practice Manual
	n. Succession Planning and Development Records	Three years
	o. Training	Retain in accordance with the greater of applicable legal requirements or internal requirements

I. Insurance	Type of Record	Retention Period
1	Audits and Adjustments	Two years after final adjustment
2	Certificates Issues by Vendors, Contractors and Other Third Parties	Ten years after expiration of underlying contract/project
3	Claims (including correspondence, medical records, injury documentation, etc.):	
	a. Workers' Compensation	To be maintained by third party administrator
	b. Products Liability (no litigation)	Ten years after last correspondence
	c. Other Third Party	Ten years after last correspondence
	d. Long Term Disability	Ten years after return to work, retirement, termination or death
	e. Group Life	Five years after closing
	f. Group Health and Dental	Ten years
4	Inspections	Three years
5	Journal Entry Support Data	Seven years
6	Loss Information	Permanently in data base maintained by the Insurance Department

I. Insurance (cont'd)	Type of Record	Retention Period
7	Policies	
	a. Worker's Compensation	Permanent
	b. Products Liability	Permanent
	c. Umbrella	Permanent
	d. Property	Permanent
	e. Fidelity and Crime	Permanent
	f. General Liability	Permanent
	g. Employee Benefit	Permanent
	h. Bonds	Two years after expiration
	i. Other	Permanent
8	Releases and Settlements	Ten years

J. Internal Financial Audit	Type of Record	Retention Period
1	Audit Reports	Indefinite (seven year review)
2	Audit Workpapers	Indefinite (seven year review)

K. Law & Intellectual Property	Type of Record	Retention Period
1	Corporate Secretary	
	a. Corporate Records	
	- Articles of Incorporation	Permanent
	- By-Laws	Permanent
	b. General	
	- Listings with Stock Exchanges	Permanent
	- Proxy Statements and Related Correspondence	Permanent
	- Securities Registrations/Filings	Permanent
	- Stock Certificates	Twenty years plus review of General Counsel
2	Intellectual Property	
	a. Copyright Registrations	Indefinite (ten year review)
	b. Memoranda of Invention	Indefinite (five year review)
	c. Trademarks Registration	Indefinite (ten year review)
	d. U. S. and Foreign Patents and Applications	Six years after expiration or abandonment
	e. Trade Secret Documents	Indefinite (ten year review)

K. Law & Intellectual Property	Type of Record	Retention Period
3	Legal	
	a. Agreements, Contracts and Related Records	Seven years after expiration
	b. Agreements, Contracts and Related Records with Outside Firms Hired to Perform Services on the Corporation's Premises; e.g., Maintenance, Construction, Asbestos Removal, etc.	Thirty years after completion of the work
	c. Closing Documents and Due Diligence Files Related to Acquisitions, Incorporations, Mergers, Consolidations, Divestitures, Reorganizations, and Dissolutions	Permanent
	d. Government Contracts and Related Records	Retain in accordance with applicable legal requirements or seven years, whichever is greater
	e. Governmental Filings	Indefinite (five year review)
	f. Investigations Performed by Governmental Entities or Performed Internally in Anticipation of Governmental Action	Indefinite (five year review)
	g. Litigation and Claims	At the discretion of the managing attorney
	h. Opinions and Other Records for Legal Guidance	Until replaced/modified plus ten years

L. Manufacturing	Type of Record	Retention Period
1	Maintenance Manuals and Instructions	Until superceded
2	Maintenance Records (except for medical devices)	Five years
3	Medical Device Maintenance Records, Process or Facility Operating Manuals and Process Technology Records	Retain for the life of medical device
4	Process or Facility Operating Manual (except for medical devices)	Ten years after termination of product
5	Process Technology (except medical devices)	Until superceded
6	Record of Alcohol Use	Seven Years

M. Medical, Health and Safety	Type of Record	Retention Period
1	<p data-bbox="565 373 805 411">Health and Safety</p> <p data-bbox="610 447 1023 485">a. Employee Medical Records</p> <p data-bbox="610 583 1019 621">b. Employer's Report of Injury</p> <p data-bbox="610 793 899 831">c. Exposure Records</p> <p data-bbox="610 930 1049 999">d. Industrial Hygiene Laboratory Analyses</p> <p data-bbox="610 1035 1039 1104">e. Internal Safety and Industrial Hygiene Audits</p> <p data-bbox="610 1140 1049 1241">f. Plans, Programs and Records Mandated by OSHA or State Agencies</p> <p data-bbox="610 1308 997 1377">g. Plant First Aid and Safety Reports</p> <p data-bbox="610 1413 1078 1451">h. Policy Statements and Manuals</p> <p data-bbox="610 1486 1032 1556">i. X-ray Data Sheets and X-ray Film (<i>original</i> film)</p>	<p data-bbox="1109 447 1341 548">Duration of employment plus thirty years</p> <p data-bbox="1109 583 1344 747">Unless controlled by state law, ten years from injury or twenty years from death</p> <p data-bbox="1109 793 1341 894">Duration of employment plus thirty years</p> <p data-bbox="1109 930 1271 968">Thirty years</p> <p data-bbox="1109 1035 1341 1073">Until superceded</p> <p data-bbox="1109 1140 1333 1272">Retain in accordance with applicable legal requirements</p> <p data-bbox="1109 1308 1276 1346">Three years</p> <p data-bbox="1109 1413 1292 1451">Twenty years</p> <p data-bbox="1109 1486 1344 1734">Unless otherwise dictated by Corporate HES Department, duration of employment plus thirty years</p>

M. Medical, Health and Safety (cont'd)	Type of Record	Retention Period
2	j. Other Specific Documents	Retain in accordance with applicable legal requirements or Corporate HES or Law & Intellectual Property Department directive
	Product Safety and Regulatory Affairs	
	a. Product Health Literature	Retain in accordance with applicable legal requirements or seven years, whichever is greater
	b. Registration and Reporting Submissions	Retain in accordance with applicable legal requirements
	c. Training Information	Retain in accordance with applicable legal requirements or seven years, whichever is greater
	d. Material Safety Data Sheets (Incoming and Outgoing)	Thirty years or as otherwise dictated by the Corporate HES or the Law & Intellectual Property Department

M. Medical, Health and Safety (cont'd)	Type of Record	Retention Period
	e. Product Shipping Labels	Thirty years or as otherwise dictated by the Corporate HES or the Law & Intellectual Property Department

N. Plant and Property Records	Type of Record	Retention Period
1	Acquired Property (Original Documents including Agreements, Deeds, Leases, Easements, Correspondence, etc.)	Permanent
2	Divested Property (Original Documents)	Ten years plus approval of General Counsel
3	Fixed Assets Ledgers (Year-End-Run)	Seven years plus approval of Corporate Controller
4	Mortgages	Ten years after satisfaction
5	Title Insurance Policies	Permanent

O. Purchasing	Type of Record	Retention Period
1	Purchase Orders	Six years
2	Contracts, and Agreements (and Supporting Documents re: Competitive Offers and Their Analysis	Six years
3	Purchase Requisitions	Six years
4	Purchasing Statistics	Two years
5	Vendor Lists	Indefinite (review periodically as necessary)
6	Vendor Proposals & Quantities	Two years
7	Supplier Self Assessment Documents	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years after useful life of product
8	Supplier Corrective Action Requests	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years after useful life of product

P. Quality Assurance	Type of Record	Retention Period
1	Clinical Studies	Twenty years after product is no longer sold
2	Inspection and Test Records	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years after useful life of product
3	Internal Quality Assurance Audits	Indefinite (seven year review)
4	ISO 9001 records (not otherwise listed herein)	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years after useful life of product
5	Product Batch Records (whether or not retained centrally and including manufacturing records, packaging records, labeling records, analytical records, exception release reports, limited use release reports, trial and qualification reports, etc.)	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years after useful life of product

P. Quality Assurance (cont'd)	Type of Record	Retention Period
6	Product Complaints	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years after useful life of product
7	Product Stability Reports	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years after useful life of product
8	Product Manufacturing Profile	Indefinite (twenty year review)
9	Project Formula Book	Indefinite (twenty year review)
10	Quality Assurance Procedures	Indefinite (twenty year review)
11	Specifications	Indefinite (ten year review)
12	Corrective/Preventive Action Requests	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years

P. Quality Assurance (cont'd)	Type of Record	Retention Period
13	Supplier CARs	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years
14	Customer Satisfaction Surveys	Unless otherwise dictated by appropriate site/ Business Unit, retain for seven years
15	Employee Suggestions	Unless otherwise dictated by appropriate site/ Business Unit, Retain for seven years

Q. Research and Development	Type of Record	Retention Period
1	Analytical Research Records	Indefinite (ten year review)
2	Invention Documents and Records	Indefinite (ten year review)
3	Laboratory Notebooks, Supporting Data, and Test Data	Permanent (if desired original documents can be destroyed after 15 years but the underlying information must be retained on a permanent basis on either micro-film or other spacesaving media)
4	Medical Studies	Indefinite (ten year review)
5	Outside Opportunities Research	Indefinite (ten year review)
6	Pharmacology Reports	Indefinite (ten year review)
7	Pilot Plant Data and Related Records	Indefinite (twenty year review)
8	Project Control Records	Indefinite (ten year review)
9	Project Files	Indefinite (five year review)
10	Project History Files	Indefinite (ten year review)

Q. Research and Development (cont'd)	Type of Record	Retention Period
11	Research Reports	Indefinite (ten year review)
12	Stability Records and Reports	Indefinite (ten year review)
13	Time Distribution Records	Indefinite (ten year review)

R. Sales & Marketing	Type of Record	Retention Period
1	Advertising Copy and Marketing Programs	Five years
2	Call Reports	Indefinite (three year review)
3	Catalogs and Price Lists	Permanent
4	Customer Complaints/Claims	Seven years
5	Customer Contracts and Order Files	Five years
6	Sales and Marketing Extracts	Seven years

S. Strategic Planning	Type of Record	Retention Period
1	Acquisition Files - Acquired	Permanent
2	Acquisition Files - Not Acquired	Five years
3	Divestiture Files - Divested	Permanent
4	Divestiture Files - Not Divested	Five years
5	Organization Plans	Permanent
6	Strategic Plans - Final Reports	Indefinite (five year review)
7	Strategic Plans - Steering Committee Reports	Five years
8	Venture Capital Files	Five years

T. Tax	Type of Record	Retention Period
1	Appeals	Permanent
2	Calendar of Tax and Report Due Dates	Five years
3	Claims and Refunds	Permanent
4	Dividend and Interest Information	Later of seven years or expiration of the statute of limitations
5	Earnings and Profit Studies	Permanent
6	Excise Tax Records	Later of seven years or expiration of the statute of limitations
7	Payroll Tax Records	Later of seven years or expiration of the statute of limitations
8	Sales and Use Tax Records	Later of seven years or expiration of the statute of limitations
9	Tax Bills, Receipts and Statements	Permanent
10	Tax Returns (including schedules, working papers, etc.)	Permanent
11	Taxes paid by the Consolidated Companies	Permanent
12	Termination Reports from Taxing Authorities (including reports from revenue agents and auditors and related documents)	Permanent

U. Transportation and Warehousing	Type of Record	Retention Period
1	Bills of Lading	Three years
2	Delivery and Receiving Reports Shipping Instructions and Packing Slips	Three years
3	Freight Bills and Drafts	Seven years
4	Freight Claims	Three years
5	Outbound Freight Systems Maintenance	Seven years
6	Paid Receiving Records and Truckloads	Three years
7	Paid Loss & Damage Claims	Three years
8	Rates and Tariffs	Three years

V. Treasury	Type of Record	Retention Period
1	Banking Transactions	
	a. Bank Authorizations	Indefinite (five year review)
	b. Banking Agreements	Indefinite (five year review)
	c. Guarantees and Comfort Letters	Five years after termination or settlement of account
2	Cash Management	
	a. Balance Reports	Seven years
	b. Cash Position Worksheets	Seven years
	c. Debt and Investment Account Records	Seven years
	d. Foreign Exchange Records	Seven years
3	Credit and Collections	
	a. Applications for Credit, Approval Forms, Qualification Reports	One year after account becomes inactive
	b. Collection Litigation Files	Three years after case is closed
	c. Customer Financial Statements	Until superceded
	d. Security Agreements and Financial Statements	Three years after satisfaction
4	Debt Management	
	a. Loan Agreements	Indefinite (five year review)

V. Treasury (cont'd)	Type of Record	Retention Period
5	Equipment Leasing	
	a. Leasing Agreements	Seven years after termination
	b. Literature	Three years
6	Trust Investment Operations	
	a. Billings from Manages (including correspondence and performance data)	One year
	b. Investment Consultants Performance Reports	Indefinite (ten year review)
	c. Trust Agreements	Permanent
	d. Trustee Billings	One year

W. International Trade and Compliance	Type of Record	Retention Period
1	Distribution License, Individual Validated Licenses, Other Export Licenses and Supporting Data	Three years
2	Duty Drawback Records	Four years
3	Penalties/Fines/Forfeitures/ U.S. Customs Seizures	Twelve years
4	Power of Attorney/General or Term Bond	Twelve years
5	Restricted Trade Practice/Boycott Requests and Reports	Eight years
6	Requests for Information (Customs Form CF 28) and Notice of Action (Customs Form CF 29)	Eight years
7	Shippers Export Declaration (SED)	Seven years
8	Inventory Reconciliation Records	Seven years
9	Waste Disposal Records	Seven years